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6 Attorneys for Defendant  
 7 TD AMERITRADE, INC.

8  
**UNITED STATES DISTRICT COURT**  
 9  
**NORTHERN DISTRICT OF CALIFORNIA**

11 JASON THOMAS, individually, and on ) Case No. C08-02397 WDB  
 12 behalf of all others similarly situated, )  
 )

13 Plaintiff, ) **CERTIFICATION AS TO  
 14 vs. ) INTERESTED PARTIES**  
 )

15 TD AMERITRADE, INC., )  
 )

16 Defendant. )  
 )

17  
 18 Defendant TD AMERITRADE, INC. certifies that the following listed  
 parties have a direct, pecuniary interest in the outcome of this case. These  
 19 representations are made to enable the Court to evaluate possible disqualification or  
 20 recusal:  
 21

22 1. Plaintiff JASON THOMAS; and  
 23 2. Defendant TD AMERITRADE, INC., which is a subsidiary of TD  
 Ameritrade Holding Corp.

24  
 25 DATED: June 16, 2008



26 Julie L. Taylor  
 Julie A. Kole  
 27 KEEBAL, YOUNG & LOGAN  
 ATTORNEYS FOR DEFENDANT  
 28 TD AMERITRADE, INC.

## PROOF OF SERVICE

I, the undersigned, hereby declare that I am over the age of eighteen years, and I am not a party to the within action. My business address is Four Embarcadero Center, Suite 1500, San Francisco, CA 94111, and my telephone number is (415) 398-6000.

On the date indicated below, I served a true copy of the following document(s):

## CERTIFICATION AS TO INTERESTED PARTIES

- BY E-MAIL:** I caused such document(s) to be served electronically on all parties via the United States District Court's Northern District ECF e-filing system.
- Pursuant to California Rules of Court, Rule 201, and the Local Rules of the United States District Court, I certify that all originals and service copies (including exhibits) of the papers referred to herein were produced and reproduced on paper purchased as recycled, as defined by section 42202 of the Public Resources Code.

Executed on June 16, 2008 at San Francisco, California.

  
Mark H. Johnson